

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

DAMON BENTLEY FRANKLIN,

Plaintiff,

v.

E. WEBB,

Defendant.

No. 2:23-cv-1140-DC-DMC-PC

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS**

Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to Eastern District of California local rules.

On June 10, 2025, the Magistrate Judge filed findings and recommendations herein which were served on the parties, and which contained notice that the parties may file objections within the time specified therein. (ECF No. 42.) No objections to the findings and recommendations have been filed.

The Court has reviewed the file and finds the findings and recommendations to be supported by the record and the Magistrate Judge's analysis.

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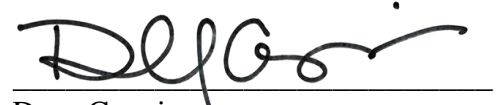
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Accordingly, IT IS HEREBY ORDERED as follows:

1. The findings and recommendations filed June 10, 2025, ECF No. 42, are adopted in full.
2. Defendant's unopposed motion for terminating sanctions, ECF No. 39, is granted and this action is dismissed without prejudice for lack of prosecution and failure to comply with court rules and orders.
3. Defendant's motion to compel responses to written discovery, ECF No. 40, is denied as moot.
4. The Clerk of the Court is directed to enter judgment and close this case.

IT IS SO ORDERED.

Dated: July 31, 2025


Dena Coggins
United States District Judge